

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 BENNIE SAYEE KOFFA,

11 Plaintiff,

v.

12 ANDREW, *et al.*,

13 Defendants.

14 CASE NO. C17-1466-JCC

ORDER

15 This matter comes before the Court on Defendants' motion to dismiss (Dkt. No. 7) and
16 Plaintiff's motion for deposition (Dkt. No. 8). Having thoroughly considered the parties' briefing
17 and the relevant record, the Court finds oral argument unnecessary and hereby GRANTS the
18 motion to dismiss (Dkt. No. 7) and DENIES the motion for deposition (Dkt. No. 8) for the
19 reasons explained herein.

20 Pro se Plaintiff Bennie Koffa brings suit against Andrew; Peter's Place Homeless Shelter;
21 Tim Burgess, acting in his official capacity as Seattle's Mayor; Jay Inslee, acting in his official
22 capacity as Washington's Governor; and the U.S. Department of Homeland Security (Dkt. No. 3
23 at 1–2.) Plaintiff asserts that Defendants "engaged in acts of (systemic) discrimination and
24 defamation against [him] in diverse ways." (*Id.* at 2.) Plaintiff supports this allegation with a
25 description of a single incident—Defendant Andrew, while working at Defendant Peter's Place
26 Homeless Shelter, initially refused to provide Plaintiff a bus ticket on the basis of Plaintiff's race,

1 although Defendant Andrew shortly thereafter provided Plaintiff the ticket. (*Id.* at 5.) These facts
2 are insufficient to support a claim of discrimination. *See Ashcroft v. Iqbal*, 556 U.S. 662, 672
3 (2009). Further, for this Court to have federal question jurisdiction over a discrimination claim,
4 the perpetrator must have a relation to a government entity. 28 U.S.C. § 1331. Plaintiff fails to
5 state any facts demonstrating the relationship between Peter's Place Homeless Shelter and the
6 government actors he names as Defendants.

7 The Court grants pro se litigants greater leeway than represented litigants. *Eldridge v.*
8 *Block*, 832 F.2d 1132, 1137 (9th Cir. 1987) (citing *Boag v. MacDougall*, 454 U.S. 364, 365
9 (1982)). But such leeway has its limits. *See Noll v. Carlson*, 809 F.2d 1446, 1448 (9th Cir. 1987)
10 (“courts should not have to serve as advocates for pro se litigants”). Plaintiff’s complaint exceeds
11 those limits.

12 For the foregoing reasons, Defendant’s motion to dismiss (Dkt. No. 7) is GRANTED
13 without prejudice and Plaintiff’s motion for deposition (Dkt. No. 8) is DENIED as moot. The
14 Clerk is DIRECTED to close the case.

15 DATED this 27th day of December 2017.

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17 John C. Coughenour
18 UNITED STATES DISTRICT JUDGE